

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN KING,

Plaintiffs,

v.

M. HAMLIN,

Defendant.

Case No.: 2:20-cv-12886

HONORABLE SEAN F. COX
United States District Judge

**OPINION & ORDER OVERRULING PLAINTIFF’S OBJECTIONS TO MAGISTRATE
JUDGE GREY’S JULY 28, 2022 ORDER [ECF No. 39]**

Plaintiff Kevin King (“King”) brought this action against Defendant M. Hamlin (“Hamlin” under 42 U.S.C. § 1983. The matter currently before the Court is King’s Objections to Magistrate Judge Grey’s July 28, 2022, Order denying Plaintiff’s Motion to Compel. (ECF No. 31). In that motion, King contests Magistrate Judge Grey’s findings in his July 28, 2022, “Order on Plaintiff’s Motion to Compel.” (ECF No. 39). The parties have fully briefed the issues. For the following reasons, the Court **OVERRULES** King’s objections.

In the July 28, 2022, Order, Magistrate Judge Grey held that:

- (1) As to the first motion to compel, King’s requests for Hamlin’s personnel file and other requests must be denied because “Hamlin has no access to her MDOC personnel file, [and] she cannot produce the information. Fed. R. Civ. P. 34(a)(1).” (ECF No. 39 at 420).
- (2) As to his second motion to compel, King’s request for “ANY AND ALL email communications sent to” Mrs. Kim Napier and Carey Johnson “concerning [King]” [ECF No. 32 PageID. 193–194) must be denied because Hamlin “has no access to her previous

emails and has never had access to other staff's emails, [so] she cannot produce the information. Fed. R. Civ. P. 34(a)(1)." (ECF No. 39 at 421).

Pursuant to Fed. Civ. P. R. 72(a) "[t]he district judge in the case must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." This Court sees no such error or evidence that any part of the Magistrate Judge's decision was contrary to law.

As the Court agrees with the well-reasoned order of Magistrate Judge Grey dated July 28, 2022, [ECF No. 39] King's objections are **OVERRULED**.

IT IS SO ORDERED.

s/ Sean F. Cox
Sean F. Cox
United States District Court Judge

Dated: November 2, 2022